



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re Terrorist Attacks on September 11, 2001 03MDL 1570 (RCC)
-----X ECF Case
CONTINENTAL CASUALTY CO., *et al.*,

v. Case No. 04-CV-5970 (RCC)
ECF Case

AL QAEDA ISLAMIC ARMY, *et al.*
-----X

**STIPULATION WITH REGARD TO RULING ON
MOTION TO DISMISS OF
DEFENDANT PRINCE NAIF BIN ABDULAZIZ AL SAUD
IN RELATED CASES**

WHEREAS the plaintiffs in the action entitled Continental
Casualty Co. v. Al Qaeda Islamic Army (the "Action") filed their complaint on
September 1, 2004 and filed their amended complaint on December 7, 2004;

WHEREAS Prince Naif bin Abdulaziz Al Saud ("Prince Naif" or
"His Highness") is named as a defendant in the amended complaint in the
Action;

WHEREAS Prince Naif acknowledges that service of the amended
complaint in the Action has been effected pursuant to the agreement reached
between his counsel and plaintiffs' counsel;

WHEREAS Prince Naif has filed a consolidated motion to dismiss the complaints naming him as a defendant in the following related cases (the "Related Cases"): *Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849 (RCC); *Federal Insurance Co. v. Al Qaida*, 03-CV-6978; *Salvo v. Al Qaeda Islamic Army*, 03-CV-5071 (RCC) (the "Consolidated Motion")

WHEREAS Prince Naif's Consolidated Motion has been fully briefed by all parties thereto and is awaiting resolution by the Court;

WHEREAS the allegations in the amended complaint in the Action parallel those in the complaints filed in the Related Cases and, in many instances, are identical to them; in particular, the allegations that make specific reference to Prince Naif in the amended complaint in the Action are substantially similar to those in the Related Cases;

WHEREAS the parties hereto wish to avoid, if possible, burdening the Court with additional filings or themselves with unnecessary litigation costs;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The parties hereto will adopt as a binding order in the Action, with regard to Prince Naif, the order of this Court deciding the Consolidated Motion (the "Order")

2. In the event the Order is appealed, the parties hereto will adopt as a binding order in the Action, with regard to Prince Naif, any subsequent rulings by any appellate courts with regard to the Order.

3. All further proceedings in the Action with regard to Prince Naif are stayed pending the resolution of the Consolidated Motion. After resolution of the Consolidated Motion, if the Court, with regard to the cases covered by the Consolidated Motion, orders or requires the filing of any answer by Prince Naif and/or orders or permits discovery with regard to Prince Naif, such order, requirement or permission will apply to the Action, as well.

Respectfully Submitted,

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So Ordered:



RICHARD CONWAY CASEY, USDJ

Dated: May 17, 2005

